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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.APP.(C) 7/2024 & CM APPL. 3957/2024

HARDEV SINGH

..... Appellant

Through: Mr. Sachin Kumar Shukla and
Mr. Harsh Hardy, Advs.

versus

J D AUTO ELECTRICALS PVT LTD.

..... Respondent

Through: Ms. Amrit Kaur Oberoi, Mr. Aditya
Hire and Ms. Pallavi Maurya, Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

22.01.2024

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1. We have seen the impugned order dated December 13, 2023.

Paragraphs 2 to 6 of the said order reads as under:-

“2. As canvassed by the learned counsel for the petitioner, it manifestly appear that contemnor/respondent, Mr Hardev Singh has been guilty of committing repeated willful and contumacious disobedience to the directions of this Court. Each of the cheques that were handed over to the petitioner pursuant to Memorandum of Settlement dated 15.12.2018 were got dishonored on presentation with the bank. Subsequently, during the pendency of the present proceedings several orders have been passed from time to time and the principal amount has been paid after much delay and latitude given to the respondent.

3. Now, the issue remain about payment of interest, which is to be calculated @ 18% per annum as per the Settlement Agreement dated 15.12.2018. Learned counsel for the petitioner submits that now a sum of ₹12,69,450/- is payable as on 09.11.2022 and the remaining interest is yet to be calculated.



The parties have also attempted negotiation to reach at an amicable settlement outside the court.

4. Respondent requests some time to make calculations of interest to verify the amount to be payable to the petitioner towards interest.

5. Re-notify for hearing on 22.01.2024.

6. It is directed that contemnor/respondent, Mr. Hardev Singh shall remain present in per on in Court on that date. The respondent shall in any case bring a demand draft of a sum of ₹5,00,000/- without prejudice.”

2. We are of the view that the present appeal is not maintainable in terms of the judgments of the Supreme Court in the case of ***D.N. Taneja v. Bhajan Lal, (1988) 3 SCC 26*** and ***Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda, (2006) 5 SCC 399***.

3. The appeal is dismissed as not maintainable.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

JANUARY 22, 2024/ds